

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

Laura T. Beyer, Judge Presiding

FRIDAY, AUGUST 4, 2023

*Steven G. Tate, Trustee*

9:30 a.m.

1)	13	Robert J. Moore	23-50151	Continued hearing on court order to appear and show cause for dismissal of case (16, <u>13</u> , 1)  Hearing on Trustee's motion to dismiss (17)
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PRO SE

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2)	13	Michael Weston	23-50159	Hearing on court order to appear and show cause for dismissal of case ( <u>10</u> , 1)
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3)	13	Thomas F. Lowrie	23-50164	Hearing on court order to appear and show cause for dismissal of case ( <u>11</u> , 1)
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4)	13	James E. Feldmeyer Jill A. Feldmeyer	20-50013	Hearing on Trustee's motion to dismiss (163); debtors' response (164)
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B. HAYES

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- 5) 13 John McAuliffe 22-50026 Hearing on Trustee's motion to dismiss (31)  
Mary McAuliffe  
  
Hearing on debtors' motion to modify plan (34)

LEZMAN

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- 6) 13 Terrie L. Black 23-50126 Continued hearing on objection to confirmation of plan [The Bank of New York Mellon Trust Company, National Association] (11, 8)  
  
Hearing on Trustee's objection to confirmation of plan and motion to dismiss (14, 8)

SUMMERLIN  
HARRIS

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- 7) 13 Jeremy D. Setzer 19-50214 Hearing on debtors' motion for hardship discharge (46)  
Amy W. Setzer

WILLCOX

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- 8) 13 Shane A. Schlageter 23-50018 Status hearing on order overruling Trustee's objection to confirmation of plan and denying motion to dismiss (28, 22)

WILLCOX

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- 9) 13 Regenia M. Skinner 18-50674 Hearing on Trustee's motion to dismiss (77)

MALLORY

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|-----|----|--------------------------------------|----------|---|
| 10) | 13 | Jason R. Moore<br>Sandra D. Moore    | 19-50276 | Hearing on debtors' motion to substitute counsel (60); Trustee's response (63)  |
|     |    | MALLORY                              |          |   |
|     |    | -----                                |          |   |
| 11) | 13 | Chaz A. Campbell                     | 19-50427 | Hearing on Trustee's motion to dismiss (23)   |
|     |    | MALLORY                              |          |   |
|     |    | -----                                |          |   |
| 12) | 13 | Joshua A. Tomblin<br>Sara R. Tomblin | 22-50060 | Continued hearing on Trustee's motion to dismiss (32)   |
|     |    | WOOD                                 |          |   |
|     |    | -----                                |          |   |
| 13) | 13 | Robert L. Fisher, III                | 22-50245 | Continued status hearing on order overruling Trustee's objection to confirmation and denying motion to dismiss ( <u>13</u> , 9) |
|     |    |                                      |          | Continued hearing on Trustee's motion for status hearing (17)   |
|     |    | WOOD                                 |          |   |
|     |    | -----                                |          |   |
| 14) | 13 | Curtis W. Stowe                      | 23-50104 | Hearing on Trustee's objection to confirmation of plan and motion to dismiss ( <u>14</u> , 13, 11)                              |
|     |    | WOOD                                 |          |   |
|     |    | -----                                |          |   |
| 15) | 13 | James C. Smithey                     | 22-50109 | 3 <sup>rd</sup> continued hearing on Trustee's motion to dismiss or modify plan (35)  |
|     |    | LUCK                                 |          |   |
|     |    | -----                                |          |   |

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| 16) | 13 | Jeffrey L. Eller                   | 22-50233 | Hearing on Trustee's motion to dismiss (19)  |
|     |    | LUCK                               |          |  |
|     |    | -----                              |          |  |
| 17) | 13 | Samuel A. Billing                  | 23-50085 | 2 <sup>nd</sup> continued hearing on objection to confirmation of plan [Evergreen RTO Management, LLC] ( <u>19</u> , <u>17</u> , 14) |
|     |    | LUCK                               |          |  |
|     |    | WILLIAMS                           |          |  |
|     |    | -----                              |          |  |
| 18) | 13 | Charles A. Absher                  | 23-50107 | Hearing on Trustee's objection to confirmation of plan and motion to dismiss ( <u>16</u> , 14, 12)                                   |
|     |    | LUCK                               |          |  |
|     |    | -----                              |          |  |
| 19) | 13 | Maria E. Avila                     | 18-50578 | 4 <sup>th</sup> continued hearing on Trustee's motion to dismiss for payment default (54)  |
|     |    | FLIPPIN                            |          |  |
|     |    | -----                              |          |  |
| 20) | 13 | Rita P. Lambert<br>Michael Lambert | 21-50194 | 2 <sup>nd</sup> continued hearing on Trustee's motion to dismiss (46)  |
|     |    | FLIPPIN                            |          |  |
|     |    | -----                              |          |  |
| 21) | 13 | Tommy W. Gwyn<br>Kathryn L. Gwyn   | 21-50200 | Hearing on Trustee's motion to dismiss (27)  |
|     |    | FLIPPIN                            |          |  |
|     |    | -----                              |          |  |

22) 13 Gretta L. Brown 21-50292 4<sup>th</sup> continued hearing on debtor's objection to notice of mortgage payment change (62, 3/7/23 doc)

FLIPPIN

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23) 13 Douglas T. Stephens 21-50327 3<sup>rd</sup> continued hearing on Trustee's motion to dismiss or modify plan (34)

Hearing on debtor's motion to modify plan (43); Trustee's response (46)

FLIPPIN

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24) 13 Michael J. Garvey 22-50024 Hearing on motion to withdraw as attorney [Thomas C. Flippin] (88)

FLIPPIN

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25) 13 William W. Caudill, Jr. 22-50078 Continued hearing on Trustee's motion to dismiss (31)

FLIPPIN

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26) 13 Brenda G. Clonch 22-50151 3<sup>rd</sup> continued hearing on Trustee's motion to dismiss or modify plan (29)

Hearing on debtor's motion to modify plan (35); Trustee's response (38)

FLIPPIN

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27) 13 Shanon L. Hamm 23-50118 Hearing on objection to confirmation of plan [NewRez LLC] (14, 2)

FLIPPIN  
BARCO

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28) 13 April M. Bowman 17-50501 2<sup>nd</sup> continued hearing on motion for relief from stay [Wells Fargo N.A.] (58); debtor's response (59)

Hearing on debtor's motion to reconsider dismissal of case (64, 61)

GOURLEY  
HOGAN

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29) 13 Lynn K. Phelps 19-50667 Hearing on debtors' motion for authority to use IRA funds (43); Trustee's response (44)  
Tony R. Phelps

GOURLEY

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30) 13 Michael L. Bruegging 19-50709 Hearing on debtors' motion to dismiss case (86)  
Alexis Ford

GOURLEY

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31) 13 Charles A. Bailey 21-50060 Continued hearing on Trustee's motion to dismiss (48)

GOURLEY

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32)	13	John F. Lisk Ann W. Lisk	21-50125	9 <sup>th</sup> continued hearing on Trustee's motion for status hearing (27)  Continued hearing on debtors' motion to modify plan (42); Trustee's response (43)  Hearing on Trustee's motion to set liability as to claims (45); debtors' response (50)  Hearing on debtors' objection to claim no. 2 (53); response [Bank of America, N.A.] (61)  Hearing on debtors' objection to claim no. 4 (54); response [Bank of America, N.A.] (62)  Hearing on debtors' objection to claim no. 9 (55)  Hearing on debtors' objection to claim no. 10 (56)
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GOURLEY  
SRNIK

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33)	13	Laura M. Hayes	21-50163	7 <sup>th</sup> continued status hearing on order overruling objection to confirmation and denying motion to dismiss (29, 17)
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GOURLEY

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34)	13	Tshombi Y. McIver	21-50170	Continued hearing on Trustee's motion to dismiss (41)
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GOURLEY

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35) 13 Tammy L. Adams 22-50207 Continued hearing on Trustee's motion to dismiss (26)

GOURLEY

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36) 13 David B. Hager 22-50214 7<sup>th</sup> continued hearing on motion to convert case to Chapter 7 [H & M Enterprises & Logistics of Statesville, Inc., Darrell T. Millsaps, Mary K. Millsaps] (12)

6<sup>th</sup> continued hearing on Trustee's objection to confirmation of plan and motion to dismiss (29, 19)

2<sup>nd</sup> continued hearing on debtors' motion to amend Schedule C (37); response [Mary K. Millsaps] (38)

GOURLEY  
JOHNSON

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37) 13 Aisha N. Morrison 22-50235 Continued hearing on Trustee's motion to dismiss (26)

GOURLEY

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38) 13 Jason B. Cabe 23-50003 Hearing on order overruling Trustee's objection to confirmation and continuing motion to dismiss (68, 64)

Hearing on motion to approve compromise and settlement of claim [Angela and Eric Sizemore] (70)

GOURLEY  
PETTIT

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39) 13 John P. Patton 23-50011 Continued hearing on Trustee's motion to dismiss (19)

GOURLEY

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40) 13 Tonda H. Brooks 23-50055 Continued status hearing on order granting debtor's motion to sell (25, 14)

GOURLEY

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41) 13 William E. Fanton 23-50100 2<sup>nd</sup> continued hearing on objection to confirmation of plan [NewRez LLC] (11, 9)

GOURLEY  
NAVE

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42) 13 Robert S. Knox 23-50102 Hearing on objection to confirmation of plan [U.S. Bank Trust Company, National Association] (14, 9)

GOURLEY  
HOGAN

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**11:00 a.m.**

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| 43)   | 7 | John R. Mullins                            | 98-50517 | Hearing on Trustee's motion to except asset from abandonment upon closing of case and to reopen case with deferred filing fee (693)  |
| <br>PRO SE<br>TAYLOR, TR.<br><br>-----              |   |  |          |  |
| 44)   | 7 | Daniel O. Honeycutt, Jr.                   | 23-50182 | Hearing on court order to appear and show cause for dismissal of case ( <u>6</u> , 1)  |
| <br>PRO SE<br>TAYLOR, TR.<br><br>-----              |   |  |          |  |
| 45)   | 7 | Michael A. Chastain<br>Barbara L. Chastain | 22-50051 | Hearing on Trustee's motion to compel and for sanctions (29)   |
| <br>FLIPPIN<br>TAYLOR, TR.<br><br>-----             |   |  |          |  |
| 46)   | 7 | Ricky W. Watson<br>Dorothy R. Watson       | 22-50148 | Hearing on Trustee's motion to sell property free and clear of liens and motion to turnover (27); response [Travis Lingerfelt] (29); Trustee's reply and motion to strike (31); debtors' response (32) |
| <br>HAMBY<br>SUMMERLIN, TR.<br>JOHNSON<br><br>----- |   |  |          |  |
| 47)   | 7 | Billy R. Morton                            | 23-50095 | Hearing on Trustee's objection to exemptions (12)  |
| <br>WOOD<br>SUMMERLIN, TR.<br><br>-----             |   |  |          |  |

- 48) 7 Nhumai M. Inthavong 23-50114 Hearing on Trustee's objection to exemptions (10)
- WOOD  
SUMMERLIN, TR.
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- 49) 11 Grayson O Company 23-50124 2<sup>nd</sup> continued hearing on debtor's motion to use cash collateral (55, 21, 11)
- WRIGHT  
MARTIN, TR.
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- 50) 11 Grayson Real Estate, LLC 23-50125 Hearing on debtor's motion to sell property free and clear of liens (31); response [Newtek Small Business Finance, LLC] (36)
- Hearing on debtor's motion to extend single asset stay deadline (32)
- Hearing on debtor's motion to extend the exclusivity period (33)
- WRIGHT  
PETTIT
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- 51) 7 Michael O. Freeman 22-50062 4<sup>th</sup> continued hearing on debtor's motion to dismiss case, or in the alternative, convert case to a Chapter 13 or reconsider order converting case to a Chapter 7 (63); Trustee's response (64); Trustee's brief (80)
- 3<sup>rd</sup> continued hearing on Trustee's objection to exemptions (65)
- GOURLEY  
SUMMERLIN, TR.
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- 52) Adv John W. Taylor, Trustee 23-5001 Pre-trial conference (11, 9)  
v. Chapter 7  
Rosie M. Harris, et al. 22-50107
- TAYLOR  
GOURLEY
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- 53) 13 Terrence K. Shea 22-50282 Continued hearing on objection to  
Lisa T. Shea exemptions [Wilmington Savings Fund  
Society, FSB] (50); debtors' response (72,  
66)
- IVEY  
PETTIT  
TATE, TR.
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